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DAC/2874
\$**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

| | | | |
|---------------------------------------------------------------------------------------------|----------------------|------------------------------|---------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/918,398 | |
| | Filing Date | July 31, 2001 | |
| | First Named Inventor | MATSUURA | |
| | Art Unit | 2874 | |
| | Examiner Name | CONNELLY CUSHWA, Michelle R. | |
| Total Number of Pages in This Submission | 14 | Attorney Docket Number | 11784-3 |

ENCLOSURES (check all that apply)☒ Fee Transmittal Form☒ Fee Attached☒ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/
Incomplete Application☐ Response to Missing
Parts under 37 CFR
1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☒ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s)☐ After Allowance Communication to
Group☐ Appeal Communication to Board of
Appeals and Interferences☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)
(please identify below):Supplemental Application Data
SheetRequest for Correction
Return Receipt Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENTFirm
or
Individual nameStephen M. Beney
Registration No. 41,563
BERESKIN & PARR

Signature

Date

February 10, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Signature

Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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February 10, 2004



Stephen M. Beney B.Sc. (Physics)
416 957 1697 sbeney@bereskinparr.com

Our Reference: 11784-3

REQUEST FOR CORRECTION

Office of Initial Patent Examination's
Filing Receipt Corrections
Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Re: U.S. Patent Application Serial No.: 09/918,398
Title: CONFIGURABLE PHOTONIC DEVICE
Filed: July 31, 2001
Applicant: MATSUURA et al.

This is further to the Filing Receipt mailed September 20, 2001. Please note the following changes are required.

The first named inventor should read "Naomi Matsuura".

The "Domestic Priority data as claimed by applicant" should read as follows:

THIS APPLN CLAIMS BENEFIT OF 60/222,481 07/31/2000

A Petition Under 37 CFR 1.78(a) To Accept An Unintentionally Delayed Claim For Priority Under 35 U.S.C. 119(e) is filed simultaneously herewith under a separate cover.

A copy of the Filing Receipt amending the inventor's name and priority data is enclosed for your reference. We look forward to receiving a corrected filing receipt incorporating the changes noted above.

Respectfully submitted,

MATSUURA et al.

Stephen M. Beney
Registration No. #1,563

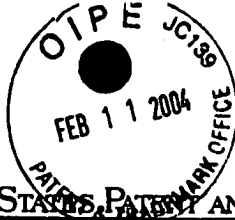
/js

Please send all correspondence to the Toronto office:

Scotia Plaza, 40 King St. West, 40th Floor,
Toronto, Ontario, Canada M5H 3Y2
Tel: 416.364.7311 Fax: 416.361.1398

2000 Argentia Rd., Plaza 4, Ste. 430,
Mississauga, Ontario, Canada L5N 1W1
Tel: 905.812.3600 Fax: 905.814.0031

Waterloo Technology Campus, 408 Albert St., Ste. 2,
Waterloo, Ontario, Canada N2L 3V3
Tel: 519.783.3210 Fax: 519.783.3211



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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|-----------------|----------|------------|------------|
| 09/918,398 | 07/31/2001 | 2874 | 985 | 11784-3 | 12 | 23 | 2 |

CONFIRMATION NO. 1001

FILING RECEIPT



OC000000006581019

Robert B. Storey
Bereskin & Parr
Box 401
40 King Street West
Toronto, ON M5H 3Y2
CANADA

27

Date Mailed: 09/20/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) MATSUURA
Naomi Matsuura, Toronto, CANADA;
Harry E. Ruda, Toronto, CANADA;
Ben G. Yacobi, Mississauga, CANADA;

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/222,481 07/31/2000

Foreign Applications

If Required, Foreign Filing License Granted 09/19/2001

Projected Publication Date: 02/06/2003

Non-Publication Request: No

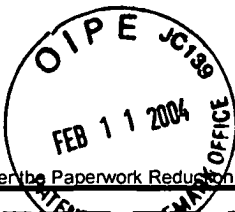
Early Publication Request: No

**** SMALL ENTITY ****

Title

Configurable photonic device

Preliminary Class



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,330.00

Complete if Known

Application Number 09/918,398 FEB 13 2004
Filing Date July 31, 2001
First Named Inventor MATSUURA
Examiner Name CONNELLY CUSHWA, Michelle R.
Art Unit 2874
Attorney Docket No. 11784-3

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number
Deposit Account Name

022095

Bereskin & Parr

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1001 | 770 | 2001 | 385 | Utility filing fee | |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2003 | 265 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | | (\$) | 0.00 |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims - 20 * = X = 0.00
Independent Claims - 3 * = X = 0.00
Multiple Dependent =

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------------------------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 | |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 | |
| 1203 | 290 | 2203 | 145 | Multiple dependent claim, if not paid | |
| 1204 | 86 | 2204 | 43 | ** Reissue independent claims over original patent | |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) | | | | (\$) | 0.00 |

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid | |
|------------------------------------------------|----------|----------|----------|----------------------------------------------------------------------------|----------|----------|
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | | |
| 1053 | 130 | 1053 | 130 | Non-English specification | | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination | | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | | |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | | |
| 1253 | 950 | 2253 | 475 | Extension for reply within third month | | |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | | |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | | |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | | |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | | |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | | |
| 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | | |
| 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | | |
| 1502 | 480 | 2502 | 240 | Design issue fee | | |
| 1503 | 640 | 2503 | 320 | Plant issue fee | | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | | |
| 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | | |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37 CFR 1.129(b)) | | |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | | |
| Other fee (specify) Surcharge (37 CFR 1.17(t)) | | | | | 1,330.00 | |
| *Reduced by Basic Filing Fee Paid | | | | SUBTOTAL (3) | (\$) | 1,330.00 |

SUBMITTED BY

(Complete if applicable)

Name (Print/Type) Stephen M. Beney Registration No. 41,563 Telephone (416) 364-7311
Signature [Signature] (Attorney/Agent) Date February 10, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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